

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

TOUCHTUNES MUSIC CORP.,

Plaintiff,

v.

ROWE INTERNATIONAL CORP.,  
ARACHNID, INC.,  
AMI ENTERTAINMENT, INC. and  
MERIT INDUSTRIES, INC. d/b/a/ MERIT  
ENTERTAINMENT,

Defendants.

Civil Action No. 07-cv-11450-RWS

Oral Argument: January 9, 2013

AND RELATED COUNTERCLAIMS

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying:

- Memorandum of Law in Support of TouchTunes's Motion for Summary Judgment of Non-Infringement Regarding the '398 and '834 Patents;
- Declaration of Francois Guy;
- Declaration of Dan Schonfeld, Ph.D. in Support of Non-Infringement of the '398 and '834 Patents (including the exhibits attached thereto); and
- Local Rule 56.1 Statement of Material Facts in Support of TouchTunes's Motion for Summary Judgment of Non-Infringement Regarding the '398 and '834 Patents;

the undersigned will move before the Honorable Robert W. Sweet, United States District Judge, in Courtroom 18C of the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, on Wednesday, January 9, 2013 at 12:00 p.m., or as soon thereafter as counsel can be heard, for an order granting summary judgment of non-

infringement of U.S. Patent Nos. 5,848,398 and 6,970,834. The grounds for this motion are fully set forth in the accompanying Memorandum of Law and supporting documents.

Respectfully submitted,

Date: October 16, 2012

By: /s/ James S. Blank

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**TOUCHTUNES MUSIC CORP.**